

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Group Art Unit: 1795
BELHAROUK, Ilias et al.

Application No.: 10/612,439 : Examiner: Maples, John

Filing Date: July 1, 2003 :

Title: IMPROVED POSITIVE :
ELECTRODE MATERIAL FOR :
LITHIUM ION BATTERIES :

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

NOTICE OF APPEAL

In response to the Final Office Action dated 03/24/2009, applicant is filing a Notice of Appeal. No extension of time fees are filed because this Notice of Appeal is being filed within six months of the last Office Action. If, however, it is determined that additional fees are due, the Commissioner is hereby authorized to charge Deposit Account Number 50-0921.

Respectfully submitted

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PTO/SB/31 (08-03)

Approved for use through 07/31/2006. OMB 06551-0031
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**NOTICE OF APPEAL FROM THE EXAMINER TO
THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Docket Number (Optional)
Q170-US1

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" on _____

Signature _____

Typed or printed name _____

In re Application of
WEST, Robert C. et al.

Application Number
10/612,439

Filed
July 1, 2003

For IMPROVED POSITIVE ELECTRODE
MATERIAL FOR LITHIUM ION BATTERIES

Art Unit
1795

Examiner
MAPLES, John

Applicant hereby **appeals** to the Board of Patent Appeals and Interferences from the last decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 1.17(b))

\$ 540.00

- Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: \$ 270.00
- A check in the amount of the fee is enclosed.
- Payment by credit card. Form PTO-2038 is attached.
- The Director has already been authorized to charge any fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.
- The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 50-0921. I have enclosed a duplicate copy of this sheet.
- A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

I am the

applicant/inventor.

assignee of record of the entire interest.
 See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.
 (Form PTO/SB/96)

Travis Dodd
 Typed or printed name

attorney or agent of record.

Registration number 42,491

818-833-2003

Telephone number

attorney or agent acting under 37 CFR 1.34(a).

Registration number if acting under 37 CFR 1.34(a). _____

6/23/2009

Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required.
 Submit multiple forms if more than one signature is required, see below*.

*Total of 1 forms are submitted.

This collection of information is required by 37 CFR 1.191. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.